THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.8558 OF 2004

Dated: 30-11-2005

Between

IDPL Staff Cooperative Housing Society (Regd.No. TBC-497) Having its office at 6-3-597/D/6, Anand Nagar Colony, Behind Balaji Apartments, Khairatabad, Hyderabad – 500 004 rep. by its Secretary, K. Anthaiah.

...PETITIONER

AND

The Government of India, Ministry of Fertilizers and Chemicals, Shastri Bhavan, New Delhi 110 001 rep. by its Secretary and others.

...RESPONDENTS

ORDER:

Petitioner is IDPL Staff Cooperative Housing Society registered under the Andhra Pradesh Cooperative Societies Act, 1964.

It is stated that huge land has been allotted by the Government of Andhra Pradesh in favour of the second respondent to develop the company. But the second respondent suffered heavy losses and was referred to Board for Industrial and Financial Reconstruction (BIFR) under the Sick Industries Act (SICA), wherein the proceedings are pending. The second respondent expressed its willing to alienate its land. To that effect, a letter was also addressed by the second respondent vide proceedings No. IDPL/PD/ODCL/2000, dated 01.06.2000 to the Deputy Secretary, Ministry of Chemical & Fertilizers, Department of Chemicals & Petrochemicals, New Delhi, recommending to give preference to the petitioner-society while selling the surplus land after prior clearance from the Government of

India and BIFR.

It is stated that the first respondent has not taken any decision giving clearance for the sale of the said land.

Having regard to the facts and circumstances of the case,

the writ petition is disposed of directing the petitioner-society to make a representation before the respondents as well as the BIFR expressing its desire to purchase the said land as per the recommendation of the second respondent and if any such representation is filed, the respondents as well as the BIFR may consider the same in accordance with law.

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V. ESWARAIAH, J

November 30, 2005

DSK